

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

Case No. CR 18-173-GW

Date September 5, 2024

Present: The Honorable GEORGE H. WU, UNITED STATES DISTRICT JUDGE

Interpreter NONE

Javier Gonzalez
Deputy Clerk

Terri A. Hourigan
Court Reporter/Recorder, Tape No.

Shawn J. Nelson; Gregg E. Marmaro;
Daniel H. Weiner; J. Mark Childs;
Thomas F. Rybarczyk
Assistant U.S. Attorney

<u>U.S.A. v. Defendant(s):</u>	<u>Present</u>	<u>Cust.</u>	<u>Bond</u>	<u>Attorneys for Defendants:</u>	<u>Present</u>	<u>App.</u>	<u>Ret.</u>
1. Jose Landa-Rodriguez	✓	✓		1. Vitaly B. Sigal, CJA	✓	✓	
3. Gabriel Zendejas-Chavez	✓		✓	3. Meghan A. Blanco, CJA	✓	✓	
6. Alvino Munoz	✓	✓		6. George B. Newhouse, Jr., CJA	✓	✓	
16. Samantha Rivera	✓		✓	16. Kristen N. Richards, CJA	✓	✓	

PROCEEDINGS: PRETRIAL CONFERENCE

Case is called. Appearances are made.

Court hears oral argument re Government's Ex Parte Application for an Order Finding Excludable Time under the Speedy Trial Act [5258]. The Government's Ex Parte Application is GRANTED. Separate order to follow.

The Government will provide *Brady* materials to Defendants by September 25, 2024.

A proposed order regarding defense visits to the U.S. Attorney's Office to view documents including defense counsels' paralegals is to be filed forthwith.

Defendant Gabriel Zendejas-Chavez's Renewed Motion to Dismiss for Speedy Trial Violations [5231] is DENIED. Defendant Gabriel-Zendejas-Chavez is severed from the other three Defendants. Trial as to Defendant Zendejas-Chavez will remain set for October 1, 2024.

The trial set for October 1, 2024 as to Defendants Landa-Rodriguez, Munoz and Rivera is TAKEN OFF-CALENDAR. The Court sets a trial setting conference for November 21, 2024 at 8:00 a.m. The parties are to file a joint scheduling report by noon on November 18, 2024.

The Government and Defendants Landa-Rodriguez, Munoz, and Rivera are to file a written time waiver. The

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Government will prepare and circulate a draft of the proposed order by no later than September 13, 2024.

Court hears oral argument re Defendant Gabriel Zendejas-Chavez's Motion to Dismiss for *Brady* Violations [5072]. The Government and Defendant Zendejas-Chavez are to file a joint document re remedies of the violations by September 12, 2024.

Court hears oral argument re Defendant Samantha Rivera’s Motion to Dismiss Second Superseding Indictment for Outrageous Government Conduct [5109]. Defendant’s Motion is DENIED.

Non-Party LAPD counsel Chung H. Cho is also present.

Court hears argument re Government's Motion for Order Regarding Court's Review of P.C. Murder Book [5061]. The Government's Motion is DENIED.

Court hears oral argument re Defendant Chavez's Emergency Ex Parte Application for Orders Directing the United States to Produce All Information in its Possession Relating to the February 2022 Proffer Referenced in AUSA Nelson's Declaration Filed Yesterday and All Reports and TIII Applications in the United States's Possession Regarding Estrada and Ortega's Involvement in P.C.'s Murder [5215] is DENIED.

Government's Under Seal Opposed Ex Parte Application for Order Finding Certain Attorney Communications Not Privileged and/or Subject to Crime-fraud Exception [5250] is held under seal. The Government's Motion is **TAKEN UNDER SUBMISSION**. The transcript of this Motion will be placed under seal.

The Court continues the pretrial conference as to Defendant Gabriel Zendejas-Chavez to September 19, 2024 at 8:00 a.m.

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Initials of Deputy Clerk **JG**